

REMARKS

Claims 1-3 and 5-35 remain pending. Reconsideration of the application is respectfully requested.

Claims 1-18 were rejected under 35 USC §112, 2nd paragraph for informalities that were noted in claims 1 and 2. It is respectfully submitted that the above amendments to such claims overcome such rejections.


Claims 1-10, 12-14, 17-19, 21-25, 29 and 32-35 were rejected under 35 USC §102(e) as anticipated by Boppart et al. Independent claim 1 has been amended to incorporate the limitations of claim 4. Independent claim 19 and 29 have been amended to include limitations directed to rotational scanning. It is respectfully submitted that Figure 21a and the description at column 31, lines 65-67 and column 32, lines 1-33 of the cited reference pertain to a **rotating blade** catheter which is image-guided rather than to a device for performing a rotational scan. As is described at column 32, lines 19-23, the angle and pitch of the blades is selected such that a beam reflected therefrom is directed along the imaging **plane** as the blade rotates to perform **forward-directed** scanning. No suggestion is made thereby that a rotational scan is performed thereby. Moreover, no suggestion is made that a rotational scan effective for acquiring imaging information from a plurality of positions is even desirable. It is therefore respectfully submitted that both anticipation as well as obviousness of independent claims 1, 19 and 29 and claims depending therefrom is thereby effectively avoided.

Claims 11, 15, 16, 20, 26-28, 30 and 31 were rejected under 35 USC §103(a) as obvious over Boppart et al. In view of the patentability of underlying independent claims 1, 19 and 29 as argued above, it is respectfully submitted that all claims that depend therefrom are similarly patentable.

In light of the above amendments and remarks, applicant earnestly believes the application to be in condition for allowance and respectfully requests that it be passed to issue.

Respectfully submitted,

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